

TIGARD CITY COUNCIL  
MEETING  
AUGUST 12, 2003 6:30 p.m.  
TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



## PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments;  
and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL MEETING  
AUGUST 12, 2003

6:30 PM

- STUDY SESSION

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss pending and current litigation under ORS 192.660(1h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

- 1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
  - 1.2 Roll Call
  - 1.3 Pledge of Allegiance
  - 1.4 Council Communications & Liaison Reports
  - 1.5 Call to Council and Staff for Non-Agenda Items

- 2. VISITOR'S AGENDA (Two Minutes or Less, Please)

- Tigard Area Chamber of Commerce Envoy

- 3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for June 24 and July 8, 2003
  - 3.2 Receive and File:
    - a. Council Calendar
    - b. Tentative Agenda
    - c. Council Goal Update – Quarter 2 – 2003

- 3.3 Local Contract Review Board:
- a. Award Contract for the Construction of the FY 2003-04 Pavement Major Maintenance Program (PMMP) to S-2 Contractors, Inc.
  - b. Award Contract for the Reconstruction of Bonita Road Between Hall Boulevard and Fanno Creek Bridge to S-2 Contractors, Inc.
  - c. Award Contract for the Construction of Bonita Park at the Bonita Road/Milton Court Intersection to Andersen Pacific Contractors
- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

4. **CONSIDER FINAL ORDER REGARDING THE APPEAL OF THE BRETTON WOODS SUBDIVISION (SUB2003-00001/PDR200300001/ VAR2003-00006/VAR2003-00007)**

**ITEM ON APPEAL:** On May 28, 2003, the Planning Commission approved a request for a 10-lot Subdivision and Planned Development on 2.34 acres. The lots are to be developed with detached single-family homes. Lot sizes within the development are between 5,500 and 6,879 square feet. The applicant also requested approval for an Adjustment to the 200-foot cul-de-sac length standard, and an Adjustment to the street improvement requirements of the Tigard Development Code Chapter 18.810. The Adjustment would allow the applicant to construct a curb-tight sidewalk as opposed to a sidewalk separated by a planter strip along SW 108<sup>th</sup> Avenue. On June 11, 2003 an appeal was filed pertaining to issues raised related to tree safety and water run-off through adjacent property caused by the development. **LOCATION:** 16455 SW 108<sup>th</sup> Avenue; WCTM 2S115AA, Tax Lots 1301 and 1400. **ZONE:** R-4.5: Low-Density Residential District. **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.350, 18.390, 18.430, 18.790 and 18.810.100.

- a. Staff Report: Community Development Staff
  - b. Council Discussion
  - c. Council Consideration: Resolution No. 03-\_\_\_\_\_
5. **CONSIDER RECOMMENDATION BY THE TRANSPORTATION FINANCING STRATEGIES TASK FORCE (TFSTF) ON AN APPROACH TO IMPLEMENT THE PROPOSED STREET MAINTENANCE FEE**
- a. Staff Report: Engineering Staff
  - b. Review of Recommendation: TFSTF Members
  - c. Council Direction: Should the staff prepare an ordinance to establish the Street Maintenance Fee using the approach recommended by the TFSTF?

6. CONSIDER AMENDING CHAPTER 10.36 OF THE TIGARD MUNICIPAL CODE TO DISCONTINUE BICYCLE LICENSING
  - a. Staff Report: Police Staff
  - b. Council Discussion
  - c. Council Consideration: Ordinance No. 03-\_\_\_\_\_
  
7. REVIEW SEWER REIMBURSEMENT PROJECTS AND SELECT PROJECTS TO BE IMPLEMENTED IN FY 2003-04 FOR THE CITYWIDE SEWER REIMBURSEMENT PROGRAM
  - a. Staff Report: Engineering Staff
  - b. Council Review and Discussion
  - c. Council Direction – Should staff proceed with necessary steps so Council can consider the following actions on August 26, 2003, to:
    - establish Reimbursement District Nos. 28 and 29
    - award contracts for construction of sewer for Reimbursement District Nos. 28 and 29
    - reject all bids for Reimbursement District No. 27
  
8. QUASI-JUDICIAL PUBLIC HEARING – CONSIDER THE APPEAL OF THE PLANNING COMMISSION’S DENIAL OF ASH CREEK ESTATES PLANNED DEVELOPMENT SUBDIVISION (SUB2003-00010/PDR2003-0004/ZON2003-00003/SLR2003-00005/VAR2003-00036/VAR2003-00037)

**ITEM ON APPEAL:** On July 7<sup>th</sup>, 2003, the Tigard Planning Commission held a public hearing to consider an application to Subdivide 9.36 acres for a 29-lot single-family detached housing Planned Development Subdivision; Sensitive Lands Review for areas with steep (> 25%) slopes, a drainage way and wetlands and; adjustments to the cul-de-sac length standard, maximum number of units permitted on a cul-de-sac, and to the street grade on SW 74<sup>th</sup> Avenue. The Planning Commission moved to deny the applications which failed in a 4-4 tie vote, then moved to approve the applications, which also failed in a 4-4 tie vote. Based on the Commission’s by-laws and Robert’s Rules of Order, without a majority affirmative vote, the application is denied. Since no motion was approved, no findings in support or against the application were adopted. The City Council is therefore, essentially rehearing this application to make a final determination as to whether or not it meets the relevant criteria of the Development Code.

**LOCATION:** 9750 SW 74<sup>th</sup> Avenue; WCTM 1S125DC, Tax Lots 300 and 400. **ZONE:** R-4.5: Low-Density Residential District. **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.350, 18.370, 18.380,

18.390, 18.430, 18.510, 18.705, 18.715, 18.725, 18.745, 18.755,  
18.765, 18.790, 18.795 and 18.810.

9. COUNCIL LIAISON REPORTS

10. NON AGENDA ITEMS

11. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

12. ADJOURNMENT

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